

**SECTION 12**

**CIVIL RIGHTS**

CIVIL RIGHTS COMPLIANCE .....	12.1
Responsibilities of the Sponsor.....	12.1
FILING DISCRIMINATION COMPLAINTS .....	12.2
EXHIBITS	
Civil Rights Compliance Report for RCCI's .....	A

## CIVIL RIGHTS COMPLIANCE

The Civil Rights assurance is included in the Food Service agreement executed by all sponsors participating in any of the Child Nutrition Programs. Please refer to the Food Service agreement for the specific citations.

### Responsibilities of the Sponsor

1. Follow procedures and maintain any information on Civil Rights complaints and resolutions.
2. Sponsors who participate in the program must maintain on file racial/ethnic makeup of the children applying and participating in the program. See Exhibit A for the Civil Rights Compliance Form, which must be completed by December 15<sup>th</sup> each year.
3. Make substitutions in the regular meal patterns for those children who are considered disabled in 7 CFR 15b and whose disability restricts their diet in such a way that they cannot fully participate in the food service program without some modification.
4. Advise parents and guardians in the Parent Letter of the program requirements pertaining to children with disabilities.
5. Include the following nondiscrimination clause on any printed material or communications:

**All Programs of the United States Department of Agriculture are available to everyone without regard to race, color, national origin, age, sex or handicap. Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).**

**To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14<sup>th</sup> and Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.**

If the material is too small to permit the full statement to be included, the material must include the following statement in print no smaller than the text:

**This institution is an equal opportunity provider.**

6. Inform parents or guardians of students as well as local minority and grassroots organizations of the availability of program benefits or services and the eligibility requirements. If you need to provide non-English speaking persons with program information and translated forms, contact the CNP office.
7. Display the nondiscrimination poster at each site in a prominent place where reimbursable meals are served. Contact the CNP Office for a copy of the poster.

## **FILING DISCRIMINATION COMPLAINTS**

Any person alleging discrimination based on race, color, national origin, sex, age or disability has a right to file a complaint *within 180 days of* the alleged discriminatory action. All written discrimination complaints shall be sent directly to the Secretary of Agriculture, Washington, D.C. 20250. Verbal complaints, including anonymous complaints, shall be accepted.

In the event that a complaint is made verbally, the person receiving the allegation shall write up the complaint to include as much of the following information as possible:

- a. Name, address, and telephone number or other means of contacting the complainant
- b. The specific location and name of the entity delivering the program service or benefit
- c. The nature of the incident(s) or action(s) that lead the complaint to be filed
- d. The basis on which the complainant feels discrimination has occurred, i.e., race, color, national origin, sex, age or disability
- e. The names, titles and addresses of persons who may have knowledge of the discriminatory action
- f. The date(s) during which the alleged discriminatory action occurred, or if continuing, the duration of such actions.

## Civil Rights Compliance Residential Child Care Institutions

Sponsor Name \_\_\_\_\_

Date of Completion \_\_\_\_\_

Site Name: \_\_\_\_\_

The United States Department of Agriculture regulations outline each Sponsor's responsibility regarding Civil Rights Compliance in the Child Nutrition Programs. Complete this form and file. The following checklist furnishes a quick overview of requirements.

	YES	NO
1. Are services accessible to the handicapped?	_____	_____
2. Do admission procedures used restrict enrollment by minority persons?	_____	_____
3. Procedures for waiting lists for admissions do not discriminate by race, color, sex, handicap or age.	_____	_____
4. Have any complaints of discrimination (written or verbal) been received this school year?	_____	_____
If so, were they forwarded to the Child Nutrition Program Unit of the Arizona Department of Education? (Written complaints may be sent to the Secretary of Agriculture, Washington, D.C. 20250.)	_____	_____
5. Is the nondiscrimination poster displayed in a prominent place at each site? (Contact Child Nutrition Program Unit, ADE, for a copy of the poster.)	_____	_____
6. Are children assigned housing on an equitable basis?	_____	_____
7. Does the correct nondiscrimination statement appear on all publications, pamphlets and informational materials? (In the operation of the Child Nutrition Program, no person will be discriminated against because of race, color, sex, national origin, age or handicap.)	_____	_____
8. Are handicapped students provided program benefits as prescribed by regulations (including special dietary needs) as appropriate?	_____	_____
9. Is there a need for program materials to be printed in a language other than English?	_____	_____
10. Complete the following chart for each site.* (A Public Announcement is sent to the media by the Arizona Department of Education.)		

	<u>Number Enrolled</u>
American Indian or Alaskan Native	_____
Asian or Pacific Islander	_____
Black (not of Hispanic origin)	_____
Hispanic	_____
White (not of Hispanic origin)	_____
Total Students	_____

\*If precise numbers cannot be obtained, an estimate by a school official should be used.

This form should be completed each year prior to December 15. The completed form will be reviewed during the course of an administrative review. Retain in your files.